

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1-71. (Withdrawn)

72-110. (Canceled)

sub ED  
C1  
EE  
111. (New) A composition comprising (a) a replication competent attenuated cytomegalovirus (CMV) that can generate an immune response in a mammal, and (b) a pharmaceutically acceptable carrier, wherein the CMV is attenuated through inhibition of expression or activity of US28 and/or a US28 homolog.

~~112. (New) The composition of claim 111, wherein the carrier is an adjuvant.~~

23  
113. (New) The composition of claim 111, wherein the mammal is a human or rhesus monkey and the CMV is human cytomegalovirus (HCMV) or rhesus cytomegalovirus (rhCMV), respectively.

34  
114. (New) The composition of claim 113, wherein the mammal is a human and the CMV is HCMV.

43  
115. (New) The composition of claim 114, wherein at least a segment of the HCMV genome encoding US27, US28, UL33 and/or UL78 has been inactivated.

56  
116. (New) The composition of claim 115, wherein the segment comprises the entire US 27, US28, UL33 and/or UL78 encoding region and the encoding region has been deleted.

67  
54  
117. (New) The composition of claim 115, wherein at least a segment of the HCMV genome encoding US27 has been inactivated.

~~78~~  
~~118.~~ (New) The composition of claim ~~117~~<sup>76</sup>, wherein the segment comprises the entire US27 encoding region and the encoding region has been deleted.

C1  
cont'd  
~~8 9~~  
~~119.~~ (New) The composition of claim ~~115~~<sup>54</sup>, wherein at least a segment of the HCMV genome encoding US28 has been inactivated.

~~9 10~~  
~~120.~~ (New) The composition of claim ~~119~~<sup>98</sup>, wherein the segment comprises the entire US28 encoding region and the encoding region has been deleted.

~~10 11~~  
~~121.~~ (New) The composition of claim ~~115~~<sup>54</sup>, wherein at least a segment of the HCMV genome encoding human UL33 has been inactivated.

~~11 12~~  
~~122.~~ (New) The composition of claim ~~121~~<sup>110</sup>, wherein the segment comprises the entire UL33 encoding region and the encoding region has been deleted.

~~12 13~~  
~~123.~~ (New) The composition of claim ~~115~~<sup>54</sup>, wherein at least a segment of the HCMV genome encoding human UL78 has been inactivated.

~~13 14~~  
~~124.~~ (New) The composition of claim ~~123~~<sup>1312</sup>, wherein the segment comprises the entire UL78 encoding region and the encoding region has been deleted.

~~14 15~~  
~~125.~~ (New) The composition of claim ~~113~~<sup>82</sup>, wherein the mammal is a rhesus monkey and the CMV genome is rhCMV.

~~15 16~~  
~~126.~~ (New) The composition of claim ~~125~~<sup>1514</sup>, wherein at least a segment of the rhCMV genome encoding rhUS28.1, rhUS28.2, rhUS28.3, rhUS28.4, rhUS28.5, rhUL33, and/or rhUL78 has been inactivated.

~~16 17~~  
~~127.~~ (New) The composition of claim ~~126~~<sup>1615</sup>, wherein the segment comprises the entire rhUS28.1, rhUS28.2, rhUS28.3, rhUS28.4, rhUS28.5, rhUL33, and/or rhUL78 encoding region and the encoding region has been deleted.

~~17 18~~ ~~16 15~~  
~~128.~~ (New) The composition of claim ~~126~~, wherein at least a segment of the rhCMV genome encoding rhUS28.1 has been inactivated.

~~18 19~~ ~~18 17~~  
~~129.~~ (New) The composition of claim ~~128~~, wherein the segment comprises the entire rhUS28.1 encoding region and the encoding region has been deleted.

~~19 20~~ ~~16 15~~  
~~130.~~ (New) The composition of claim ~~126~~, wherein at least a segment of the rhCMV genome encoding rhUS28.2 has been inactivated.

~~20 21~~ ~~20 19~~  
~~131.~~ (New) The composition of claim ~~130~~, wherein the segment comprises the entire rhUS28.2 encoding region and the encoding region has been deleted.

~~21 22~~ ~~16 15~~  
~~132.~~ (New) The composition of claim ~~126~~, wherein at least a segment of the rhCMV genome encoding rhUS28.3 has been inactivated.

~~22 23~~ ~~22 21~~  
~~133.~~ (New) The composition of claim ~~132~~, wherein the segment comprises the entire rhUS28.3 coding region and the encoding region has been deleted.

~~23 24~~ ~~16 15~~  
~~134.~~ (New) The composition of claim ~~126~~, wherein at least a segment of the rhCMV genome encoding rhUS28.4 has been inactivated.

~~24 25~~ ~~24 23~~  
~~135.~~ (New) The composition of claim ~~134~~, wherein the segment comprises the entire rhUS28.4 encoding region and the encoding region has been deleted.

~~25 26~~ ~~16 15~~  
~~136.~~ (New) The composition of claim ~~126~~, wherein at least a segment of the rhCMV genome encoding rhUS28.5 has been inactivated.

~~26 27~~ ~~26 25~~  
~~137.~~ (New) The composition of claim ~~136~~, wherein the segment comprises the entire rhUS28.5 encoding region and the encoding region has been deleted.

~~27 28~~ ~~16 15~~  
~~138.~~ (New) The composition of claim ~~126~~, wherein at least a segment of the rhCMV genome encoding rhUL33 has been inactivated.

Application No. 09/944,049  
Amendment dated July 2, 2003  
Reply to Office Action of March 17, 2003

~~28 29~~ 139. (New) The composition of claim ~~138~~ 28 27, wherein the segment comprises the entire rhUL33 encoding region and the encoding region has been deleted.

Cf  
Cont'd  
~~29 30~~ 140. (New) The composition of claim ~~139~~ 15, wherein at least a portion of the rhCMV genome encoding rhUL78 has been inactivated.

~~30 31~~ 141. (New) The composition of claim ~~140~~ 30 29, wherein the segment comprises the rhUL78 encoding region and the encoding region has been deleted.

~~31 32~~ 142. (New) The composition of claim ~~141~~, wherein the composition is formulated for administration to a human.

~~32 33~~ 143. (New) The composition of claim ~~142~~ 1, wherein the composition satisfies GMP standards.